

Message Text

LIMITED OFFICIAL USE

PAGE 01 ANKARA 03794 161509Z

53

ACTION EUR-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 SS-20 AID-20 OMB-01 NEA-14 CU-04

SNM-02 DEAE-00 JUSE-00 TRSE-00 EURE-00 DRC-01 /127 W
----- 044206

P R 161438Z MAY 74

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 4150

INFO AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

LIMITED OFFICIAL USE ANKARA 3794

E.O. 11652: N/A

TAGS: CASC PFOR PINT TU

SUBJECT: AMNESTY LEGISLATION PASSED BY PARLIAMENT

REF: (A) ANKARA 3775 (B) ANKARA 3724 (C) ANKARA 2261
(D) ANKARA 1717

SUMMARY: THE LONG-AWAITED GENERAL AMNESTY BILL, FROM WHICH US CITIZENS IMPRISONED FOR NARCOTICS OFFENSES STAND TO BENEFIT, WAS PASSED LATE MAY 15 AND WILL BECOME LAW UPON THE PRESIDENT'S SIGNATURE AND PUBLICATION (PERHAPS AS EARLY AS MAY 17). THIS MESSAGE SUMMARIZES THE PRINCIPAL FEATURES OF THE BILL AS PASSED. END SUMMARY.

1. APART FROM THE POLITICALLY CRITICAL EXCLUSION OF OFFENSES INVOLVING COMMUNISM AND ANARCHISM (REF B AND SUBPARA D BELOW), THE AMNESTY BILL FINALLY PASSED BY PARLIAMENT'S LOWER HOUSE MAY 15 GENERALLY CORRESPONDS TO THE EARLIER VERSION WHICH THE SAME BODY HAD APPROVED APRIL 10 AND WHICH WAS AMENDED BY THE SENATE AND RETURNED. PENDING PUBLICATION
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 ANKARA 03794 161509Z

OF THE APPROVED TEXT, WE HAVE PREPARED THE FOLLOWING SUMMARY

OF THE MAJOR PROVISIONS OF THE AMNESTY, BASED ON PRESS REPORTS:

A. THE AMNESTY APPLIES TO OFFENSES COMMITTED PRIOR TO FEBRUARY 7, 1974 AND BASICALLY PROVIDES FOR A 12 YEAR REDUCTION IN SENTENCES (INCLUDING LESS SERIOUS NARCOTICS OFFENSES, E.G. POSSESSION).

B. DEATH SENTENCES ARE REDUCED TO 30 YEARS; LIFE SENTENCES TO 24 YEARS.

C. SENTENCES INVOLVING CERTAIN OFFENSES ARE REDUCED BY ONLY FIVE YEARS, E.G., HIJACKING, ESPIONAGE, SERIOUS NARCOTICS OFFENSES (E.G. TRAFFICKING, SMUGGLING), LARCENY, ROBBERY, EXTORTION, AND KIDNAPPING.

D. EXCLUDED FROM THE ENTIRE AMNESTY ARE: COMMUNIST ACTIVITIES UNDER CRIMINAL CODE ARTICLES 141 AND 142, REVOLUTIONARY ACTIVITIES UNDER ARTICLES 146 AND 149, RAPE OF A MINOR, THE GOMEL OLIVE OIL CASE, OFFENSES INVOLVING ANTIQUITIES (LAW #1710), AND DISCIPLINARY ACTIONS AGAINST MILITARY OFFICERS AND CIVIL SERVANTS (MAINLY TEACHERS).

E. STUDENTS EXPELLED FROM UNIVERSITIES BETWEEN SEPTEMBER 1968 AND FEBRUARY 1974 ARE ELIGIBLE TO REENTER SCHOOL.

F. SENTENCES OF JUVENILE OFFENDERS UNDER AGE 18 WILL BE REDUCED BY 18 YEARS.

G. MALE MEMBERS OF FORMER OTTOMAN ROYAL FAMILY ARE PERMITTED TO RETURN TO TURKEY.

H. IN CURRENCY SMUGGLING CASES INVOLVING SUMS OF LESS THAN 10,000 TL, THE SENTENCES WILL BE REDUCED BY 12 YEARS; OVER THAT AMOUNT, SENTENCES WILL BE REDUCED BY FIVE YEARS.

I. IN SMUGGLING CASES INVOLVING GOODS VALUED AT LESS THAN 20,000 TL, SENTENCES WILL BE REDUCED BY 12 YEARS; OVER THAT AMOUNT, SENTENCES WILL BE REDUCED BY FIVE YEARS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 ANKARA 03794 161509Z

2. THE AMNESTY ALSO PROVIDES THAT IN FIGURING THE LENGTH OF THE ONE-THIRD REDUCTION FOR PAROLE, IN MOST CASES THE ONE-THIRD IS TO BE CALCULATED ON THE BASIS OF THE ORIGINAL SENTENCE. IN CASES INVOLVING DEATH REDUCED TO 30 YEARS OR LIFE REDUCED TO 24 YEARS, HOWEVER, THE ONE-THIRD IS TO BE CALCULATED ON THE BASIS OF THE SENTENCE REMAINING AFTER THE AMNESTY.

3. AFTER THE LAW IS SIGNED BY THE PRESIDENT AND PUBLISHED IN

THE OFFICIAL GAZETTE (WHICH COULD BE AS EARLY AS MAY 17),
THE JUSTICE MINISTRY WILL HAVE 20 DAYS IN WHICH TO PROCESS THE
CASES OF THOSE PRISONERS ELIGIBLE FOR IMMEDIATE RELEASE.
SPAIN

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AMNESTY, LAW, DRUG TRAFFIC, SMUGGLING
Control Number: n/a
Copy: SINGLE
Draft Date: 16 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974ANKARA03794
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740121-0298
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740544/aaaabmop.tel
Line Count: 119
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) ANKARA 3775 (B) ANKARA 3724 (C), ANKARA 2261
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 27 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 AUG 2002 by elyme>; APPROVED <20 FEB 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AMNESTY LEGISLATION PASSED BY PARLIAMENT
TAGS: CASC, PFOR, PINT, TU
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005